

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

TAMEKA SIMMONS,

X
10cv8990 (JSR) (RLE)

Plaintiff,

DECLARATION OF PRAKASH MEHTA

v.

AKIN GUMP STRAUSS HAUER & FELD LLP,

Defendant.

I declare under penalty of perjury, that the following is true and correct to the best of my knowledge:

1. My name is Prakash H. Mehta. I am a partner in the New York office of Akin Gump Strauss Hauer & Feld LLP ("Akin Gump"). I am also the co-chair of the Investment Funds Practice Group with Stephen Vine. I have been a partner at Akin Gump since I joined the firm in 2002.

2. I was named one of the most influential minority lawyers in America by the National Law Journal in 2008. See Michael Moline et al., *Profiles in Power: The 50 Most Influential Minority Lawyers in America*, National Law Journal, May 26, 2008.

3. In the summer of 2008, Mr. Vine and I made the decision to hire Jason Elfenbein (Caucasian) to Akin Gump's Los Angeles office as a counsel in the Investment Funds Practice Group. Just a few months later, we had to provide Mr. Elfenbein with notice that his employment would be terminated within three months due to the sudden and, at that time, current economic crisis.

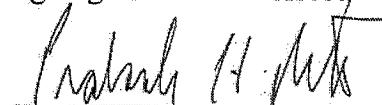
4. During and after the 2008 performance review process, I spoke with both Adam Kerndt (Caucasian) and Oluriyike Ojediran (African-American), who were associates in Akin Gump's Investment Funds Practice Group in the Washington, D.C. office. They were informed that their employment would be terminated in April 2009. Once I learned that the firm as a whole would be conducting a formal reduction-in-force in March 2009, I told Ms. Ojediran to consider herself as part of the firm's overall reduction in force.

5. In June 2009, the Investment Funds Practice Group was still slow despite our large number of layoffs. Accordingly, I, in conjunction with the Dallas partner in the Investment Funds Practice Group, made the decision to remove Tim Curren (Caucasian), an associate in Akin Gump's Investment Funds Practice Group in the Dallas office, from the payroll and to retain him as an hourly employee, in which capacity he earned approximately \$600 in 2009 and nothing in 2010.

6. I am familiar with reports regarding the Investment Funds Practice Group's revenue and productivity. I have reviewed such reports from 2007 through 2010 (bates-labeled AG00005842-5845, AG00001138, AG00001149, AG00001161, and AG00005734) and have confirmed that the following information is accurate:

Year	Investment Funds Practice Group Revenue	Investment Funds Practice Group Average Attorney Annual Billable Hours
2007	\$62,614,828	2,051.10
2008	\$64,298,331	1,915.85 (down 7% from 2007)
2009	\$47,272,887 (down 26% from 2008)	1,651.27 (down 14% from 2008)
2010	\$48,851,670 (up 3% from 2009)	1,773.07 (up 7% from 2009)

I declare under penalty of perjury that the foregoing is true and correct,



Prakash H. Mehta

Date: March 30, 2011